

8135. cc  
5

A  
L E T T E R

FROM

J A Q U E S B O U R R E A U,

L A T E O F T R O U - L A - P U T A I N I N D A U P H I N E, *R*

P H I L O S O P H E R,

A N D N O W O F T H E

C I T Y O F D U B L I N,

T O T H E

W H I G S O F T H E C A P I T A L.

---

---

D U B L I N:

P R I N T E D B Y P. B Y R N E, N o. 108, G R A F T O N - S T R E E T.

---

M, DCC, XCI.

L E T T E R

J A G U E S B O U R S E A U

STATE OF TEXAS, COUNTY OF DALLAS,

PHILIP S. B. B.



C I T Y O F D U B L I N

TO THE

WHICH OF THE

D U B L I N  
Printed at P. BYRNE, No. 108, GRAFTON STREET.

W. DOCKERTY

---

---

A

## L E T T E R, &c.

---

*Gentlemen, Statesmen, and Philosophers,*

WHEN I solicit the honour of being admitted into your society, it is fit that I should lay before you my just pretensions. Before the publication of Mr. Paine's Essay on the Rights of Man, I flatter myself that I understood and acted upon the principles which it contains. Whether it was from reflection, or from instinct, I may assert that I was a practical philosopher. Like him\*, I traced the rights of man to the creation of man. Like him, I argued "† That every generation is equal in rights to the generations which preceded it, by the same rule, that every individual is born equal in rights with his cotemporary." Like him, I was conscious‡ "that every age and generation

\* Page 45.

† Page 46.

‡ Page 9.



“ must be as free to act for itself *in all cases*, as the  
 “ ages and generations which preceded it.” And  
 that no government, assembly, or people of any  
 former period had a right to bind or controul the  
 people of the present day *in any shape whatever*, of  
 which great truths I was as fully persuaded as if I  
 had read the ninth page of Mr. Paine’s Pamphlet,  
 and all the rest of that excellent work, which you  
 are so wisely circulating for the good of mankind.  
 Occupied with these reflections, it was my fortune  
 to meet a nobleman, as he was then called, riding  
 an horse richly caparisoned—at the sight of me  
 and my rags, the horse started, threw him, and left  
 him senseless on the ground. I am by nature, gen-  
 tlemen, inclined to compassion, even to a weakness,  
 but as I am writing to friends and brother philoso-  
 phers, I am bound to confess my faults with can-  
 dour.—Accordingly, the first idea which occurred  
 to me, was to raise him from the ground. But a  
 crowd of reflections rushed upon me with that ra-  
 pidity, and quick logic which is usual to enlighten-  
 ed minds, accustomed to philosophical disquisi-  
 tions on the Rights of Man. What right, said I to  
 myself, has this man to this horse, or to that purse  
 which I perceive to be in his pocket? Who gave him  
 those rights? The laws. What are those laws?  
 Institutions made by either our ancestors, or by  
 persons who usurped a right to govern those ances-  
 tors?



tors? No matter which, neither of them had a right to govern *Jaques Bourreau* in any case whatever. How did he get the money in that purse? Why, by those tyrannical laws which gave him that castle and the rents of all the lands about it. By those rents he purchased that horse, with those rents he filled that purse; had it not been for those cursed institutions made by the dead and vainly affecting to bind the living, I should have just as much right as he to these extensive domains.—Earth, said I, (in one of those apostrophes with which Sentiment embellishes philosophy) earth, thou common right of man, how comes it that *Jaques Bourreau*, possessed as he is of every right which belonged to Adam, cannot, like him, possess himself of a portion of thee. Is it because men, who are now no more, have parcelled it out among themselves, and directed in what manner it shall descend to their posterities? What right had they to make these perpetual distributions, to guard them by laws which no man is bound to obey, unless he pleases, and by punishments which no man is bound to submit to, unless he has consented to them? Did I ever consent to those rules, or did the framers of those laws ever consult me? And thou, accomplice of their usurpation, thou, partaker of that spoil which they have unjustly distributed, what claim hast thou to any assistance from  
 me.

me. No, rather let justice and philosophy steel my heart against the too tender workings of my nature. Let me, in the name of human nature itself, reclaim a part of what you have usurped, and do a justice to mankind, in doing a benefit to myself! The dying man faintly opened his eyes, he could not speak, and seemed nearly suffocated, but he held out his hand as if imploring my assistance. I had a lancet about me, what a trial for a philosopher endued with my sensibility.—Shall I confess that I was weak enough to hesitate—my good nature prompted me to bleed him, but my philosophy and my knowledge of the Rights of Man convinced me, that I would be perfectly justified in picking his pocket.—Whilst I hesitated, he expired.

These then, said I, looking at the property he had about him, these are undoubtedly mine by the Rights of Man. No other can possibly have a claim to them, except by the force of those laws of succession which I never consented to, and which those who made them had no right to make. Occupancy gives an undoubted right where there is no other, and there can be no other in a case like this. Saying this, I stripped the dead man, mounted his horse, and left my own cloaths to be possessed by the next occupant. Scarcely had I mounted

mounted my horse, when a servant galloped up, followed by a beautiful lady on horseback. He accosted me rudely, charged me with the murder of his master, and ordered me, in an imperious tone, to surrender his horse. Heavens! what an outrage upon one who would have died a thousand deaths, rather than deprive another of his life, except in a case of self-defence. The ruffian was not content with words—he clapped his hand to a pistol which was before him. Self defence, the first law of nature, obliged me to protect my life, and my undoubted property. I also had pistols, I drew one of them and shot him dead. The lady screamed, she turned her horse, and fled with precipitation, crying aloud for assistance. I knew that a village was at no great distance, the property, that is, the usurped property of the gentleman who had fallen. I should be obliged to pass through it, or else to return in my present equipage to Trou-la-Putain where my person was well known, and in either case, it was certain that I should be apprehended, and condemned to death by laws to which I had not consented. It was no time for hesitation, I pursued the lady, and was compelled to stop her cries by the application of the but-end of my pistol to her head. Exclusive of that presence of mind which seldom deserts those who confine themselves within the rules of justice, and which dissuaded me from



from firing my second pistol in the vicinity of the village ; I can assure you, gentlemen, that the sentiments of honour and humanity prevented me from doing any injury to the lady, beyond what was necessary to my own preservation. She fell, indeed, and lay on the ground, but I flatter myself she received no material injury. Want of politeness to the ladies was never attributed to me ; and I am happy to reflect, that in the execution of an office, which the National Assembly has restored to that respectability which naturally belongs to it, I have given signal instances of my respect to the fair sex. The friends of a lady lately executed at Trou-la-Putain for the murder of her husband, can bear testimony, to the delicacy with which I conducted myself towards her, in the last and most critical moment of her life. Suffice it to say, that my behaviour reflected no disgrace on my ancestors, whom I succeeded in that useful office.—I do not speak of them through vanity, I know as well as Mr. Paine that birth is nothing. Let me resume the thread of my story. Safe from pursuit, I pulled up my horse to give him breath, as I thought it adviseable to pass through the village with the utmost rapidity—at that pause, what reflections poured upon my mind. Tenderly affected at the sufferings of the lady, I turned my thoughts to that action which gave me the truest satisfaction. I had vindicated

vindicated the Rights of Man, I had reclaimed property from usurpation, and to the power of one individual, I had redressed human nature, by opposing laws imposed by men who had no right to make them. I turned my face to the spot where the nobleman had fallen, and exclaimed, Lie there thou, *as a lesson to the oppressor, and an example to the oppressed.*

I pursued my route through the village. I passed it before my disguise was discovered, without meeting any accident, except that I happened to ride over a child which I could help. The road led towards Paris. After having travelled a few leagues, as fast as my horse could carry me, I overtook two persons on the road. But as this adventure led to consequences interesting to the Rights of Man, you will permit me to dwell a little on the particulars. My first advances to their acquaintance, were received rather coldly, but as I have an happy manner of announcing myself, we soon grew more familiar. We stopped together at a little inn, and a bottle or two of tolerable wine improved our intimacy. At length, the younger of my companions addressed me as follows: By your dress, Sir, we suspected you might be an *Aristocrate*, but your manner, and the liberality of your sentiments has undeceived us. You see, before you, two

B]

members

members of the National Assembly, we are going up to attend our duty. I have the honour to be an attorney from a considerable village in Dauphiné, but pardon me, I ought first to announce my friend. This gentleman, Sir, is curé of another village in my neighbourhood, a person of the first talents, and a determined enemy of his bishop, which, let me assure, was no small recommendation of him to his constituents. The bishop, Sir, I need not tell you, is a great scoundrel, who receives sixty thousand livres a year, and hoped to gain the favour of his flock, by annually dispersing about a third of them amongst the poor, and by other acts of hypocrisy. But they judged better, they knew very well that the whole revenue was usurped, and they wisely rejected the compromise. But pray, Sir, let me ask you a question, that we may know each other better. What is your opinion of the Rights of Man? The question, answered I, is not at all embarrassing; he has every right which was possessed by Adam; that is, a right to do whatever he pleases, except what is forbidden by laws, to which he himself has voluntarily bound himself. I am glad to hear you speak so, answered the Curé, it was to establish such tenets that our National Assembly was formed; we are founded on the Rights of Man, and I doubt not that you will support our decrees with your life and fortune. Pardon me, Sir, answered I, that



I, that is as I shall think proper. He stared a little, but I proceeded. Pray, Sir, said I, what right has your assembly to make any rule for my conduct? Because we represent you, replied the attorney. And pray, Sir, said I, who told you that I had ever subscribed to a government by representation. Let me remind you of our history, and trace your rights to their source. One Humbert Dauphin, who governed our province without being appointed by the people, took it into his head to annex Dauphiné to the crown of France, which he had no title to do; one Lewis XVI. who has no more right than Humbert, takes it into his head to assemble 1200 people, whom he calls the States; one Neckar advises him to call 600 of these out of the Tiers Etat, and the rest out of the nobility and clergy—and to do what? To make laws for 24 millions of people, many of whom never voted, or were allowed to vote, some of whom voted against the representatives of their district. These 1200, or a part of them, choose to alter the nature of their assembly, and because they have done so, they fancy they have a right to make decrees binding Dauphiné, Provence, Languedoc, Burg—I was proceeding, when the Curate interrupted me. You had better, said he, talk a different language. It was not to have the rights of a free assembly to govern a free country questioned, that we destroyed

the Bastile, it was not to be talked out of our rights and privileges that we hanged Foulon and Berthier. The Chateau de Vincennes remains, the people are ready to vindicate their rights, and support our decrees by that summary process which is dictated by natural justice. The lamp-post is ready for the enemies of freedom—tremble.—He was growing warm, when the attorney stopped him. Suffer, said he, the gentleman to go on. I will answer him afterwards, it will do us no harm to practice a little debate, we shall answer the aristocrates the better for it. I profited by his permission, and proceeded as follows.

You will grant me, said I, that as to the constitution of our ancestors, whether king, or king and parliaments, or king and three estates, we are not bound to obey it. Yes, certainly said the attorney, for as our National Assembly expresses it—*Men are born, and always continue free and equal in respect of their rights*, and none of the persons you speak of had any right to expect obedience; for as our assembly says, *the nation is essentially the source of all sovereignty, nor can any individual, or any body of men be entitled to any authority which is not expressly derived from it*. It is well to have those maxims at one's fingers ends, they are of great use in argument, as well

well as contribute to general order and good government.

I ask no more, Sir, replied I to the attorney, for it follows, from what you have quoted, that your assembly has no more right to make a decree than your king was once possessed of. They have *no* authority expressly derived from the nation. In how many particulars are they destitute of such a right? Did the nation elect them? No, it was but a part of the nation. Did the nation delegate to that part the right of choosing representatives for the whole? No, you know very well they did not. Did even that part elect them to be a National Assembly, invested with the powers they have assumed? No, they were only chosen to constitute a body, called the *Etats*, under some old constitution not very well defined, and assembled by the authority of a king. They, themselves, erected themselves into a National Assembly, possessed of greater powers. Under this pretence, they affect to bind some men who chose them for a different assembly, and other men who never chose them at all. I leave it to the aristocrates to prove that they are traitors against their king and this constitution. As for me, you know I am too much a philosopher to consider any thing but the *Rights of Men*; and as to the Rights of Men, they are usurpers, and have no more right

to



to bind France, than the American Congress has to bind America.

The priest whispered the attorney, and I heard them mutter something about the Chateau de Vincennes. Let us hear him, said the attorney more aloud.

You will admit, said he, that if there were some defects in the modes of choosing the present assembly, those defects are all to be rectified at the new election. The nation being divided into departments, and a more equal representation being established. Will you answer that, Sir, or will you admit it?

Upon my word, said I, I shall admit no such thing. The new assembly will be just as great an usurpation on *the Rights of Man* as the present one. What right has your present assembly to dictate how the nation shall be represented, or how can they force the nation to adopt a government by representation? Perhaps the nation does not choose to have any representation, perhaps they may like to vote like the Americans, individually, and not by representatives. Again, how dare they, on the principles which they profess, to exclude persons from voting who do not pay a certain proportion of taxes.

taxes. Has not a man rights, though he pays no taxes? Again, Sir, suppose the majority approve your new constitution, what right does that give them to make laws for the minority who disapprove? Depend upon it, Sir, that a government grounded on choice has a very bad title over those who do not choose it. Lastly, Sir, you agree that all men are by nature free and equal. What then is to bind any man except his own choice, and not the choice of others, who have no right over him? We are all as free as Adam. Had there been three Adams created once, would two of them have had a right to bind the third? Would not the third have had as good a right to cut their throats for making the attempt, aye, and a better one, than the two would have had to punish him for resisting them?

Sir, said the priest, there is nothing so glorious as to cut the throats of usurpers; all history glories in such examples, but dare you call us usurpers, dare you say that you have a right to oppose the assertors of liberty? I know, Sir, that our decrees are not without energy, I know that we too have axes, prisons, and hangmen.

I was a little nettled at the last word. Nothing is more illiberal than to throw a gentleman's profession

sion in his teeth, and I own I took it as a personal allusion. But a little reflection told me, that he could not know me, though a knight of the scaffold, I was not then dressed in the habit of my order, or in the dress which I usually wore on collar-days.

Sir, answered I, with that mildness which accompanies sound reasoning, do not imagine that I have the least desire to cut your throat, on the contrary, I approve very much of those good people who tore out the hearts of your suspected opponents, and of the ladies who stuck their bodkins into them after they were torn out, and cut them into little pieces with their scissars. I was only arguing, in general, on the *Rights of Man*. Such disquisitions should be encouraged in every country, because it is a subject which every one is capable of understanding, and the discussion always leads to peace and good order. I was just observing, Sir, that as to an absolute right to make decrees binding the nation, your assembly is no more possessed of it than the American Congress has a right to bind America.

What, said he, do you then deny the legitimate power of that assembly, which was chosen by the people in the manner they themselves thought proper?



per? *They* were not called together by a king. The act of their meeting, the manner of their choosing, was all the deed and will of the people. What objection then can you have to *their* title, however you may cavil at ours?

A very strong one, Sir, said I, but not so general a one as to your assembly. If they were chosen as you describe, they may have a right to bind the very men who deputed them. But they have none to form a permanent government, or to make a treaty binding the faith of that country. For you must recollect that every man has the same rights that were possessed by Adam, of course the American youth who grows up to manhood has a right to renounce their authority. He has a right to say, my father who deputed those who made such a law, or such a treaty, may and ought to observe them. But *I* deputed no one, and I am not bound by either. The general will is nothing to me, I will go by my own will, which I never surrendered, for such are the Rights of man; and if they attempt to bind me, I have a right to oppose their oppression, at the expence of their blood. Grant me but the premises laid down by those philosophers who discuss the Rights of Man, and the conclusion is irresistible. It is nonsense to tell me that *the nation* has a right to change its form of government. A

C

man,

man, free as Adam, is no more bound by the sense of the nation, than by the will of its present governors. The persons who vested the power in their present representatives, may have, indeed, an occasion for some formalities before they cashier them.

It must be done by the voice of the majority, so far as relates to them, because they agreed to submit to the voice of the majority. But as to persons unborn, or not adult when the constitution was formed, they are bound by no voice but their own. Each man is an Adam in independence, and is no more bound by the majority or by the *whole* of the nation, than he would be bound by a congress, or by a parliament, or by a king.

The priest seemed lost in thought, the attorney seemed to relish my arguments. I see, said he, to what consequences you lead me; one generation cannot bind another. “ \* Those who have quitted  
 “ the world, and those who are not arrived at it,  
 “ are as remote as mortal imagination can conceive.  
 “ What possible obligation then can exist between  
 “ them, what rule or principle can be laid down,  
 “ that two non-entities, the one out of existence,  
 “ and the other not in, and who never can meet  
 “ in this world, that the one should controul the  
 “ other to the end of time,” or let me add, with

exactly equal truth, for any time whatever ? If the principle of binding posterity could last *two* generations, it could as well last three, or four, or forty. According to you, Sir, man can only bind himself. I own there is some convenience in the doctrine. It cuts up by the roots all national faith. For no delegated assembly can pledge any but the immediate persons who deputed them. There is certainly an end of all those idle things called *treaties*. For the same reason, there can be no such thing as a duty to pay *a national debt*. For the same reason, there can be no such thing as inheritance. And lastly, for the same reason, there can be no such thing, properly speaking, as *a nation*. Every new Adam, who comes to age, may, indeed, subscribe to the rules of the society, and become a part of them, provided there be some method ascertained by which he may do so, which little ceremony, I find, is omitted in all countries. But if he does not, he is bound to no civil duty or forbearance. The whole train of ideas which attach men to their country, and which give rise to that supposed virtue called patriotism, are at once annihilated. He may, indeed, love those with whom he forms this voluntary association, as banditti may love each other. But there can be no such thing as love of one's country. In short, no people ever was or ever can be so constituted as to claim allegiance from

C 2

the



the inhabitants of the country, or to derive their origin or connection from the Rights of man as you have defined them.

Sir, said I, you reason very justly, but you mistake one fact. There was *one* society that was united according to the Rights of Man, and that ought to be, and undoubtedly will be, the model for the rest of the world. I mean, Sir, the society called the *Buccaneers of America*. Amongst them the association was voluntary, it was neither derived from ancestors, nor transmitted to posterity. There may have been other societies formed according to the Rights of man, and indeed I can hardly suppose, that what is most agreeable to nature and reason, should have occurred in one instance only. But to confess the truth, Sir, I am not very deeply read in history, nor do I wish to be so. Rollin, the only historian whom I ever dipped into, disgusted me with that species of reading. For what man of a philosophical turn can bear to read the praises of a Leonidas who exposed himself and his followers to certain death, rather than violate the institutions of one Lycurgus, which his ancestors had adopted long before he was born, and which enjoined him to die rather than fly from the enemies of his country? Had I been at Thermopylæ, I should have reflected that the dead have no right to bind the living

ing, that my countrymen had never given me a choice whether I should obey their laws or not, and that of course, I had a right to choose what society I should belong to. Perhaps, indeed, the point of honour, of which I own myself a little tenacious, might have prevented my joining the Persians, (who seemed the more eligible party) as I had accepted the command of Spartans, but under ordinary circumstances, it is very allowable to quit the side of one's country, whenever it is in distress. Who can endure the praises of a Socrates, who chose to die rather than withdraw himself from the laws of a country which had unjustly condemned him? Who can bear to hear certain madcaps, called Englishmen, who sometimes come here for their education, talking of the constitution of their country, and saying that it is their birth-right. What time and labour do they throw away in learning what they call the *rights* of kings, and parliament, and people. I have heard the tutor of one of them declaim, for half an hour together on the subject, and I was astonished, that a man who seemed no fool in other respects, should waste his breath on so idle a subject. A few short and simple doctrines from the school of true philosophy, would have made him know, that Englishmen have *no* birthright in any particular constitution. Every generation is perfectly free to choose its own constitution. *Bound*  
to

to nothing but to the Rights of Man, he can *claim* nothing but the Rights of Man, of course, he has no inheritance in one form of government more than in another. I heard that some person spoke with great pleasure of a constitutional question as he called it, which had lately been carried, and a constitutional right which had been ascertained to the people after a long struggle. It would have saved that nation a vast deal of trouble, if they had but reflected that there can be no such thing as a *constitutional* right belonging to any people whatever. *All* our rights are derived from nature.—What does it signify whether a certain power or privilege be allotted or denied to a king, a parliament, a court of justice, a jury, a corporation, or a magistrate, when we have a right to destroy the very name of king, parliament or any other institution, and have nothing to consult upon the subject, but our own will and pleasure, whether we will have the constitution of our ancestors, or, indeed, whether we will have any constitution, law, or civil connection whatever. I was proceeding, when the priest, whom I believed to have listened to me with a delighted attention, burst out at once into a violent exclamation—Oh! wretch, cried he, oh! enemy to society, and to human nature! Is it by defaming all that is venerable in antiquity, that you would exalt human nature? Is it by placing  
the



the patriot beneath the freebooter? Is it by eradicating from the human breast, all reverence for the institutions of your ancestors? Is it by dissolving the ties which bind man to his country, and nations to each other, that you would promote the happiness of the human race? But why do I expostulate with you? Such men as you are not to be reclaimed by reason, they are to be coerced by punishments. Let me thank thee, however, you have opened my eyes, I see the tendency of your doctrines; perhaps I might have imbibed some of your principles, had they been uttered by one more artful and more guarded. Come, Sir, said he to the attorney, shall we quit this worthy gentleman and pursue our journey. Saying this, he clapped spurs to his horse without waiting for his companion.

Be not surprised, gentlemen, that a man of my high spirit did not immediately pursue him, and demand satisfaction for this insult. The persons of members of the National Assembly are protected by a decree which makes them sacred. It might have produced more disagreeable consequences than the present exposure of my life, which I should not have valued. Besides, though I think revenge to be one of the Rights of men, and that honour as well as life is to be protected, yet I perfectly agree with our excellent philosopher, Rousseau, that it is  
a gross

a gross absurdity for the insulted to expose his life on equal terms with the aggressor. The notion took its rise, as I am informed, from those absurd ideas of *chivalry*, which Mr. Paine so justly reprobates. And I doubt not, that amongst the improvements of the present age, the propriety of a safe and private vengeance will be recognised by all civilised nations. In what manner the person in question escaped that vengeance, shall be told hereafter—it is a pity that he did—for he was no other than the Abbé ———, and he has since proved himself one of the most determined *aristocrates* in the National Assembly.

The attorney did not follow him. Let me abridge the first part of our conversation. After a little farther founding of each other, he was pleased to honour me with his entire confidence, and even to make me partaker of a little project which he had conceived. Sir, said he, you seem to be a man after my own heart, and I will speak freely to you. Though a member of the National Assembly, I know perfectly well the unsound foundations on which it stands, and that the power which it possesses, is neither founded on the Rights of Man, nor on the principles which are professed in our Declaration of Rights. I had the honour to hold the pen which wrote that celebrated performance.

I was

I was neither the author, nor the mover, but you know that a secretary can easily contrive to get in a little of his own in a composition so frequently altered. It is fit, that I tell you my motives, and let you a little behind the curtain. I sincerely hope that our present form of government may not continue; and I think that we have sown the seeds of its dissolution; for to say the truth, though it may be good sort of government enough for stockjobbers, farmers who dislike paying rent, common soldiers, debtors, curates, gunsmiths, surgeons, and financiers, it is a very bad one for attorneys, kings, officers, dancing-masters, men of estates, pimps, jewellers, milliners, hotel-keepers, bishops, bakers, merchants, taylor, perfumers, admirals, coachmen, bankers, friars, privy counsellors, lawyers, coachmakers, valet-de-chambres, private tutors, cooks, noblemen, and many other persons of different descriptions; and as to philosophers whose business it is to make constitutions, it is better for them to change the form of government as often as possible. By frequent experiments, they may, at last, hit upon one which will please every body, and in the mean time, their profession will thrive amazingly. For these reasons we have agreed that no member of the present assembly shall be chosen into the next, of course, all experience is excluded from the management of public affairs, which is



so much the better, as we have principally confined ourselves to the duty of abolishing every ancient institution, and leave to them the task of establishing some new order of government in their place. Of course, there is every reason to hope that they will give general discontent, and as we have laid it down as a principle, that the right of modelling the government resides in the nation at large, we have of course retained to ourselves who understand the management of the people, all real power and consequence. In this particular, the school of the Rights of Man is infinitely more liberal than an English philosopher called Locke, or any of the writers of that country, except those of a very late date. For they assert only, that on a dissolution of their government, or on a forfeiture or dereliction of it by their governors, the right of forming a new one reverts to the nation; they even go so far as to say, that in such a case the social contract of the nation would remain, and that the few, and even their posterity would be bound by the new government adopted by the many. All this is steadily denied in the school of the Rights of Man. But you will observe the address with which we conduct so delicate a business. We talk to the public of the right to new-model the government being vested in the nation at large, and we ground this right on the imprescriptible freedom of man, and on the

inability

inability of the dead to bind the living. But we are careful never to draw the consequences which result from these doctrines, for if we did, every man of property would be alarmed, and every man who wishes for a settled government, would perceive that such a government would be incompatible with the principles which we inculcated. But we shall know how to bring forward these consequences whenever a convenient opportunity shall offer. We can prove, at any time, if our premises be once admitted, that a man is no more bound to the social contract with his nation, than he is to the form of government which that nation may have chosen. His own specific consent is equally necessary in both cases. Now, we have taken care never to require that specific consent, though we have made it essential. The writings of the doctors of our school generally run as follows: “\* The present National Assembly of France is, strictly speaking, the personal social compact—the members of it are the delegates of the nation in its original character; future assemblies will be the delegates of the nation in its organized character. The authority of the present assembly is different to what the authority of future assemblies will be. The authority of the present one is to *form* a constitution: the authority of future ones will be to le-

\* Page 55.

D 2

“ gislate

"gistrate according to the principles and forms prescribed in that constitution."

Now, my dear friend, how easy will it be for us to subvert such a constitution whenever we please. We have no more to do than to remind people of facts which no man can deny. For who is ignorant that the present assembly is a representative of the people, and a very imperfect one in its *organized* and *not* in its *original* character. It is a representation, the manner of which was fixed on by the king, according to an organization chosen by himself, with some reference to the old manner of calling the states, but not strictly adhering even to precedent. He called together three estates; the number of the third he doubled, and he called on them as *Etats* under the constitution of our ancestors, and not as representatives of the nation in its original capacity. When assembled, they changed their nature, or pretended to do by *their own* authority, that is, by no authority vested in them, by either king or nation for that purpose. Thus we have destroyed all idea of a government founded on any old constitution, without establishing any government founded on the social compact, and we have had the farther precaution to lay down principles which exempt every man, even from the social compact itself, unless he shall please to subscribe



subscribe to it. We have done more, for lest young men should indiscreetly pledge themselves to either the constitution or the social compact, we have fixed on no time of life, and no form or manner by which they are hereafter to make their free option, and to declare whether they will or will not be bound like others of the nation. Thus, every man who does not take the civic oath is free to oppose the new constitution on principle, and every man who is induced to take it by fear of loss or penalty, may say it was an oath imposed by a government to which I did not give my free consent.—Here is an admirable latitude. I think, my friend, that I need say no more to convince you, that all government is incompatible with our principles. Besides, this right of choosing for one's self, a right beginning at no defined age, had an admirable tendency to unsettle the human mind, and to create as many desires for different forms of governments as there are men in the nation. All which, a reverence for the institutions of our ancestors would have been likely to prevent. And you need not fear but that men of strong hands and of no property, will be ready to rise against the government of the day, though they may not be ready to unite in forming another. Yes, yes, my friend, a man of talents who has learned the art of governing the multitude, can sum all this to  
greater

greater advantage, than the receiving eighteen livres a day as a member of the National Assembly. In the mean time, as I see you are a man of honour, I have a proposal to make to you.—That same priest is entrusted with carrying up a large sum of money, the produce of certain taxes raised in our district. You see clearly that the assembly has no right to lay, or to continue those imposts. As for me, it would be indelicate to interfere against their decrees, being myself a member. But you, friend, eh! what think you? Would it be right to take possession of that sum or not? You know, that if you did, being your own, you might give the half for my good advice—for as to restoring it to the people, it would indeed be what I should like, but it would be impossible. It would raise suspicions, and you would be hanged by a law to which you did not concur, either personally or by your representatives. But perhaps you may have scruples.—Perhaps you think that a man you did not vote for is your representative.—If so, pray do not think of it. We should be delicate, for the sum is a very large one.—One may sometimes commit mistakes in those perpetual appeals which a philosophical mind makes to itself against the institutions of the land. You should be very guarded.—What do you think of it?—My dear Sir, said I, no man is more cautious than I am of infringing the  
Rights

Rights of Man. I own I once was guilty of a little error, which has made me very guarded ever since. In the church of St. Nicholas, there was a silver candlestick; as I always looked upon liberty of conscience as one of the Rights of Man, and was perfectly satisfied that to rob St. Nicholas was, in fact, to rob no body at all, I concealed myself in the church with a design of converting this candlestick to some purpose more useful to mankind.— In the night, a beautiful lady came to weep over the corpse of a young man whom she was to have married. The opportunity, the place was very tempting to a man above vulgar prejudices. I argued with myself, that a church consecrated to a pretended saint was no more sacred than any other place; and I own, I overlooked another argument in my hurry, namely, that I had no right to offer to the lady any personal rudeness. But her resemblance to a beloved sister, for whom I had an ardent and a mutual passion, for a moment overcame my reason. This has taught me to be cautious.— Aye, my friend, said the attorney, you was certainly wrong, as to offering violence to the lady, but as to the candlestick, the church, and the intrigue with your sister, you argued very justly; for as our National Assembly says, “What is not prohibited by *law* should not be hindered,” and afterwards, “all citizens have a right to concur,  
“ either



“ either personally, or by their representatives in  
 “ its formation.” Thus, as you had never con-  
 curred, either personally, or by your representa-  
 tives in any law in favour of silver candlesticks, or  
 of churches dedicated to St. Nicholas, or of making  
 love to your sister, none of these actions ought to  
 be hindered. But really, as to the lady, I think  
 you infringed a natural right, and must say, that  
 you was wrong, but the noble candour with which  
 you admit the error, is a full atonement. We are  
 all liable to these little misapprehensions; a peo-  
 ple accustomed to obey the laws of their country,  
 and suddenly throwing off that restraint, in order  
 to obey the light of reason only, may for some years  
 be liable to commit mistakes. But a good man, in  
 a good cause, should not be disheartened by these  
 little events. We are all subject to error, and to  
 comfort you, I must observe that several other good  
 people have fallen into mistakes as well as you.—  
 Perhaps those patriots who hanged Foulon and  
 Berthier, who beheaded the king’s life-guard, who  
 destroyed some of the chateaus in our neighbour-  
 hood, who put to death some bakers, may not have  
 had any precise right to do these acts—yet you see  
 how good writers justify them.\* In short, my  
 friend, people engaged in a great cause are not to  
 stop at small matters. A certain confusion of the

intellect naturally attends the ardour of our great pursuits, whose ultimate end is the good of mankind. Therefore do not let the little circumstance you mention discompose a philosophic mind.—What say you as to the Abbé? Have you any objection? I confess, said I, that I shall think myself safe under the guidance of so good a reasoner. I have no objection to taking the money, and think it would be indelicate in you to interfere in that part of the business, as you were one of those under whose authority it was raised.—But there is another department which remains for you. You know it would not be safe for me to take the purse, if he were left alive to tell the story. As to his life, you can have no scruple to rid your country of an usurper—it is as just to kill him, as to kill a king, a minister, or any one who assumes an authority contrary to the Rights of Man. What say you, if you will do what is necessary to prevent his prosecuting, I will take the purse with all my heart. Why, said he, according to the Rights of Man, I might be justified, but I have another objection. I entered into an agreement to travel with him, and so I think I am bound by a personal compact, which must last the whole journey, to make no attempt upon his life. But as to your doing it, there seems to be no objection. After

weighing the matter, I had no farther delicacy upon that head, but agreed to do it.

I pursued the Abbé as fast as my horse could carry me, fully determined to recover the money which had been levied in a manner so repugnant to the Rights of Man. A wood where I hoped to overtake him, promised to be a favourable place for my purpose. I assure you, gentlemen, that as I galloped, I reasoned, and saw no cause to change my opinion. But scarcely had I entered the wood when I saw a portmanteau lying on the ground, which I knew to be that of the Abbé. I alighted, and found it to be very heavy, it contained what I was seeking for.—I looked back, and the Attorney was not in sight. There said I, is a windfall, which is not within the spirit or letter of our agreement. Why should I share this with the attorney? I found the portmanteau fitted my saddle very well. I turned down a bye-road, and reached a village, where there was a very good inn. Notwithstanding the richness of my dress, my having a portmanteau behind me created no speculation, for in the present state of France, nothing is more common than for great men to ride before their own portmanteaus.

In



In the course of my journey I happened to be at Nancy at the time of the memorable tumult, which was quelled at the expence of so much blood. I took that side, which, on fair reasoning, was the more agreeable to the Rights of Man.— But discipline prevailed against public spirit, and the National Assembly was pleased to approve the conduct of those who quelled the insurrection.— This disgusted me with France, and I determined to quit it, and not to return till it shall have a legislature that will act upon the principles they profess. I passed through England, but I found the minds of men in a state of torpor. If an Englishman finds that he can do as he pleases with his person and property, provided he injures no one else, that his acquisitions are perfectly secure, himself protected, and the laws of his country not infringed by those in power, he calls it liberty, and is satisfied to leave things as they are. He loves that strange thing called the English constitution, though he was not consulted in the making of it. They even love an hereditary monarchy, without reflecting that it is not seven hundred years since their kings descended from William the Conqueror. England was no place for me. I heard, gentlemen, of your fame, I wished to be enrolled amongst you. Ireland is a country where there are many men of strong hands,

and of little property. These are admirable materials, and you, gentlemen, seem to me to be great artists—but do not despise foreign assistance. I can become as truly an Irishman as ever I was a Frenchman. In fact, the doctrines concerning the Rights of Man, the claim of being exempted from any social contract, as well as from any particular constitution to which we have not specifically consented, as it leaves us free to choose any other country, and to reject our own, has a marvellous tendency to divorce the mind from the place of our birth. I will be bold to say, that possessed of these principles, the vicious Alcibiades, and the half-principled Themistocles would not have felt those returning weaknesses for their country which preserved the Athenians, and that the virtuous Phocion would not, at his death, have forgiven his countrymen. Gentlemen, I am above these prejudices, I am capable of becoming thoroughly an Irishman—permit me to add, an useful auxiliary. Though I despise your constitution, and wish to overturn it, I can make use of the word *unconstitutional* as well as another. I can assert the legal rights of a corporation, though I know there is no true right, either in a corporation, or in the law which made it. I can declaim on the rights derived from our ancestors, though I know

I know that no one is bound by any thing done by his ancestors. To destroy prejudices, we must know how to take advantage of them. Without denying to you a competent share of this necessary management, I hope you will not despise the practised skill, and the congenial principles of

Gentlemen,

Your humble Servant,

JAQUES BOURREAU.

F I N I S.